

## Article - Education

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§24–204.

(a) (1) The Commission annually shall prepare a budget request to provide funds to perform its duties under this subtitle.

(2) The Commission may receive and spend any grant or gift budgeted or provided for it.

(3) (i) The Commission is encouraged to make use of its facilities, equipment, and other resources to provide services that may generate additional income. Any income earned in that manner shall be considered special funds for use by the Commission.

(ii) Unexpended funds may be carried forward and expended in any subsequent fiscal year, subject to the approval of the Board of Public Works.

(b) (1) The Commission shall appoint a President who shall serve as chief executive officer for the Commission.

(2) The President serves at the pleasure of the Commission and is entitled to the compensation established by the Commission.

(3) The President shall direct the staff of the Commission and carry out the policies and duties established by the Commission.

(c) (1) The secretarial, stenographic, clerical, and custodial employees of the Commission are in the skilled service, with the exception of special appointments, in the State Personnel Management System.

(2) All other employees of the Commission are in the executive service, management service, or are special appointments in the State Personnel Management System.

(3) Notwithstanding § 4-201 of the State Personnel and Pensions Article, the Commission shall fix the compensation of the executive service, management service, and special appointment employees:

(i) Upon the recommendation of the President; and

(ii) When possible, in accordance with the State pay plan.

(4) (i) At least 45 days before the effective date of the change, the President shall submit to the Secretary of Budget and Management each change to the Commission's salary plan that involves increases or decreases in salary ranges other than those associated with routine reclassifications and promotions or general salary increases approved by the General Assembly.

(ii) The Secretary of Budget and Management shall:

1. Review the proposed changes; and

2. At least 15 days before the effective date of the proposed changes, advise the Commission whether the changes would have an adverse effect on comparable State jobs.

(iii) Failure of the Secretary of Budget and Management to respond in a timely manner is deemed to be a statement that the change will have no adverse effect.

(5) The budget submitted by the Governor to the General Assembly shall include personnel detail for the Commission in such form and manner as provided for any agency in the State Personnel Management System.

(d) (1) Beginning in fiscal year 2019, and for each fiscal year thereafter, the Governor shall include in the annual budget bill a General Fund appropriation to the Commission in an amount not less than the General Fund appropriation for the current fiscal year as approved in the State budget as enacted by the General Assembly and increased by the percentage by which the projected total General Fund revenues for the upcoming fiscal year exceed the revised estimate of total General Fund revenues for the current fiscal year, as contained in the December report of estimated State revenues submitted by the Board of Revenue Estimates to the Governor under § 6–106 of the State Finance and Procurement Article.

(2) (i) In addition to the appropriation required under paragraph (1) of this subsection, if the actual amount of special funds in special fund code R15304 Community Services Grant and CPB Grant in budget code R15P00 Maryland Public Broadcasting Commission received by the Commission in the second previous fiscal year is lower than the amount that was budgeted for the Commission as approved in the State budget as enacted by the General Assembly for the second previous fiscal year, the Governor shall include in the annual budget bill, for the upcoming fiscal year, a General Fund appropriation to the Commission in an amount not less than the difference between the actual funds and the budgeted funds.

(ii) The general funds appropriated under subparagraph (i) of this paragraph may not be included in the calculation under paragraph (1) of this subsection for any subsequent fiscal year.

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